

DEC 1 0 2003

500.0251 8686 PAFENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Frazier

Serial No.:

09/782,150

Filed:

February 14, 2001

For:

OPERATING SOFTWARE PERFORMANCE MONITOR

Group:

2122

Examiner:

Yigdall, Michael J.

Durham, North Carolina December 10, 2003

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION

Sirs:

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax. No. 703-746-7239 on the date set forth below

- 1. Amendment Transmittal (1 page, in duplicate)
- 2. Amendment (9 pages)
- Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over a Pending Second Application (Form PTO/SB/25; 1 page)

Karen S. Flynn

Printed name of person signing

/Signature

Date: December 10, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 8686

In re application of: Frazier

Serial No. 09/782,150

Group Art Unit: 2122

Filed: February 14, 2001

Examiner: Yigdall, Michael J.

For:

OPERATING SOFTWARE PERFORMANCE MONITOR

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Transmitted herewith for filing is an amendment in the above-identified application.

X No additional fee is due at this time.

The fee has been calculated as shown below:

CLAIMS AS AMENDED

(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Claims		Highest		, ,	
	Remaining		Number			
	After		Previously	Extra		Additional
	Amendment		Paid For	Present	Rate	Fee
Total Claims	10	-	20	0	\$18.00=	\$0.00
Independent Claims	2	-	3	0	\$86.00=	\$0.00
Total additional fee for this amendment>						\$0.00

X Charge the fee of \$110.00 for a Terminal Disclaimer to NCR Corporation Deposit Account No. 14-0225. A DUPLICATE OF THIS TRANSMITTAL IS ATTACHED.

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, including any fee for extension of time or credit any overpayment to NCR Corporation Deposit Account No. 14-0225. Should such an extension become due, this letter constitutes a petition requesting same.

Our telephone number is (919) 806-1600.

Attorney for: Frazier

Respectfully,